

Gabor J. Lanyi:¹

The Origins and Nature of Wolfgang Musculus Dusanus' (1497–1563) Political Theology

Abstract.

Wolfgang Musculus' *Loci Communes* (Common Places) of 1560 places the administration of the church under the authority of the secular magistrate, emphasizing that the secular government is in charge of even the most internal of church matters, like the appointment of pastors, the supervision of church discipline, the administration of church property, and the enforcement of ecclesiastical ordinances.

According to Helmut Kressner's viewpoint Musculus' understanding about the secular government's authority over church affairs was formed by the controversy between the Bernese Magistrate and the theologians of Geneva. James Thomas Ford's research points to the fact, that many of Musculus' arguments that appears in the *Loci Communes* have already been used in other tracts in which Musculus exhorted the Augsburg Council to establish the Reformation in the city in the 1530s.

The goal of this paper is to present these common arguments, discuss what they are based on, and examine what kind of role the early church and the Church Fathers played in Musculus' justification of the state's involvement in church matters.

Keywords: Wolfgang Musculus Dusanus, Political Theology, Reformation of Berne, Calvin, Calvinism, Geneva, Reformation Debate, State-Church Relations

1. Introduction

Wolfgang Musculus in the "*De Magistratibus*" (of Magistrate) chapter of his "*Loci Communes*" (1560) places the administration of the church under the authority of the

¹ The author is a senior lecturer at the Theological Faculty of the Károli University of the Reformed Church of Hungary, Budapest. Email: lanyigabor@kre.hu. The author would like to express his gratitude to John Jordan for proofreading the article.

secular magistrate.² In this concluding discussion of his systematic theology, he emphasizes the secular government is in charge of even the most internal of church matters. For example, the appointment of pastors, the supervision of church discipline, the administration of church property, and the enforcement of ecclesiastical ordinances. Those theologians, monarchs, and jurists who were seeking to justify the supremacy of the state in a protestant country could find a firm foundation in Musculus' *De Magistratibus*. Two important persons who fit this description were Thomas Erastus and John Withgift. The former being the builder of the territorial state church of the Palatinate and the latter acting as the archbishop of Canterbury and protector of Tudor-Absolutism against the Puritans. Both were influenced by the teaching of Musculus.³

According to Helmut Kressner's "*Schweizer Ursprünge des anglikanischen Staatskirchentums*," (Swiss Origins of the Anglican State-church Idea)⁴ Musculus' understanding about the secular government's authority over church affairs was formed by the controversy between the Bernese Magistrate and the theologians of Geneva. In Kressner's view, Musculus' consideration is nothing more than a justification of the Bernese secular government's power over its territorial church. During the struggle "of the Zwinglian State-church with the Calvinist theocracy"⁵ the Bernese needed theological affirmation to vindicate their claims for involvement in internal church affairs, especially in the execution of church discipline and the appointment of pastors. This vindicatory task was fulfilled by Wolfgang Musculus.⁶

² In this essay the footnotes refer to the 1578 London translation of the *Loci Communes*. Wolfgang MUSCULUS: *Common places of Christian religion, gathered by Wolfgangus Musculus, for the vse of such as desire the knowvledge of godly truth. Translated out of Latine into English, by John Man of Merton Colledge in Oxforde. Herevnto are added tvvo other treatises, made by the same author, one of othes, and an other of usury. VVith a most perfect and plentifull table. Seene and allowed according to the order appoynted in the Queenes Maiesties iniunctions*. Henry Bynneman, London, 1578.

³ In Kressner's original: der Kampf „des zwinglianischen Staatskirchentums mit der calvinischen Theokratie," Helmut KRESSNER: *Schweizer Ursprünge des anglikanischen Staatskirchentums*. C. Bertelsmann, Güttersloh, 1953. 71-72.

⁴ Ibid. 59.

⁵ Ibid. 53.

⁶ "Vor allem galt es, daneben die strenge, unnachgiebige Politik des Magistrats zu rechtfertigen; eine Arbeit, die um so dringlicher war, als das Gerücht umging, die nach Genf Übersiedelten bereiteten eine apologetische Schrift vor. Auf Berner Seite war der Aufgabe, eine theoretische, d. h. theologische Rechtfertigung der magistralen Kirchenpolitik zu liefern, niemand besser gewachsen als Wolfgang Musculus, der Professor für Theologie." Ibid. 59.

James Thomas Ford's "*Wolfgang Musculus on the Office of the Christian Magistrate*"⁷ points to the fact, that many of Musculus' arguments that appears in the *Loci Communes* have already been used in other tracts, namely in the "*Widerlegung ettlicher gegenwürf*" (Refutation of the Opposition)⁸ and the "*Confutation und Ablainung*," (Refutation and Rejection)⁹ in which Musculus exhorted the Augsburg Council to establish the Reformation in the city in the 1530s.

The goal of this paper is to present these common arguments, discuss what they are based on, and examine what kind of role the early church and the Church Fathers played in the justification of the state's involvement in church matters.

After a sketch of Musculus' life and work, those circumstances under which the *De Magistratibus*, the *Widerlegung ettlicher gegenwürf* and the *Confutation und Ablainung* were formed will be discussed. The main part of this paper is about the demonstration of common arguments presented in Musculus' early tracts, as well as his *Loci*.

2. Draft of Wolfgang Musculus' Life and Work

"Dieuze, famous Musculus, lent you the gift of life."¹⁰ – As the 16th Century, anonymously-written poem says, Wolfgang Musculus was born in Dieuze, Lorraine, on September 8, 1497.¹¹ Although his brothers learned their father's profession (barrel maker), after the recognition of the young Wolfgang's abilities to study he was sent to the Latin Schools in the surrounding country. Namely, he attended the school of Rapportsweiler, Colmar and Schlettstadt, which were shaped by the Alsatian Humanism.¹²

⁷ James Thomas FORD: *Wolfgang Musculus on the Office of the Christian Magistrate*. Güttersloher Verlag, Güttersloh, 2000. 149.

⁸ *Widerlegung ettlicher gegenwürf, dio do möchten beschehen, ein Christliche oberkeit an der reformation, in glaubens sachs zuhndern*. Stadtarchiv Augsburg, Literaliensammlung von 1534, No.27.

⁹ *Confutation und Ablainung*. Stadtarchiv Augsburg, Literaliensammlung von 1534, a2.

¹⁰ „Dieuze, berühmter Musculus, lieh dir die Gabe des Lebens.“ - the poem continues: "Erst hat dein grosses Talent das edle Strassburg geschliffen / Bekannt aber machte dich rasch das weithin glänzende Augsburg / Worauf das mächtige Bern dir zu weltweitem Ruhme verhalf. / Zum Bürger jetzt des Olymps bestimmt dich der Herrscher von allen." See in Marc van WIJNKOOP LÜTHI: *Reformator, Europäer, Flüchtling. Wolfgang Musculus - eine Entdeckung und eine Ausstellung in der Münsterkapelle Bern*. In: *Der kleine Bund CCXIX* (20 September 1997). 1.

¹¹ Paul Josiah SCHWAB: *The Attitude of Wolfgang Musculus towards Religious Tolerance*. Mennonite Press, Scottsdale, 1933. 7.

¹² Rudolf DELLSPERGER: *Kirchengemeinschaft und Gewissensfreiheit*. Peter Lang, Bern, 2001. 12.

In his sixteenth year he became a Benedictine monk in the monastery of Lixheim. He was highly influenced by those 15 years that he spent there: in one of his letters to Thomas Erastus, he characterizes himself as such a “person who was educated in a monastery”¹³ During the first half of his monastic years, he was particularly interested in music and classics. He was absorbed especially in Cicero’s and Ovid’s works, as it can be read in his biography, written by his son, Abraham Musculus.¹⁴ Later, he drew near to the Biblical studies as well.¹⁵ The Benedictine monastery of Lixheim belonged to a monastic-reform movement, the “*Hirsauer Bewegung*” (Hirsau Movement) which emphasized personal engagement with Holy Scripture, especially the Psalms.¹⁶ After he became an ordained priest, he began to preach in the monastery and neighboring churches.

In 1518, some writings of Martin Luther got into the monastery, which won Musculus to the case of the evangelical Reformation. Since he started to propagate Luther’s thoughts in the neighboring parishes publicly, he was called the “*lutheranischer Mönch*” (Lutheran monk) by the ordinary believers. This ministry continued under the protection of the governor of Lützelstein until 1527 when Musculus broke his monastic connections. Promptly after his secession, he became engaged to Margaretha Barth, who was previously known as his kinswoman.¹⁷

They fled together from the jurisdiction of the Bishop of Metz to Strasbourg, where they were married by Theobald Niger on the second day of Christmas, 1527. For a short time Musculus experienced difficulties in earning a living. At first, he worked as a cloth-maker’s apprentice, but when he had an argument with his Anabaptist master he

¹³ “*homo in monasterio educatus.*” see Marc van Wijnkoop Lüthi: *Wolfgang Musculus und die römische Kirche*. In: Marc van WIJNKOOP LÜTHI (ed.): *Musculiana*, Zur Paraburi, Thun, 1999. 96.

¹⁴ “*Er widmete sich dem Ovid in den Schriften, wegen des Studiums der Dichtkunst, durch welche er seit Kindheit her in Feuer geriet.*” Abraham MUSCULUS: *Historia vitae et obitus clarissimi theologi D. Wolfgangi Musculi Dusani, S. Literarum apud Bernates professoris*. Basel, 1595. Translated and quoted in Josef KIRMEIER (ed.): “*...wider Laster und Sünde*” – *Augsburgs Weg in der Reformation*. DuMont, Köln, 1997. 181.

¹⁵ Musculus remembered the advice of one of his old fellow monks all his life: “*Si bonus vis fieri concionator, da operam, ut bonus fias biblicus.*” René BORNERT: *Wolfgang Musculus und das Benediktische Mönchtum des ausgehenden Mittelalters und der Reformationszeit im südwestdeutschen Raum*. In: Rudolf DELLSPERGER (ed.): *Wolfgang Musculus (1497-1563) und die oberdeutsche Reformation*. Akademie Verlag, Berlin, 1997. 52.

¹⁶ Wolfgang MUSCULUS Jr. (ed.): *SYNOPSIS festalium concionum. Authore D. Wolfgango Musculo Dusano. Eiusdem vita, obitus, erudite carmina. Item Clariss. Virorum in ipsius obitum Epicedia*. Basel, 1595. 10. quoted in René Bornert: *Wolfgang Musculus und das Benediktische Mönchtum des ausgehenden Mittelalters und der Reformationszeit im südwestdeutschen Raum*. In: Rudolf DELLSPERGER (ed.): *Wolfgang Musculus (1497-1563) und die oberdeutsche Reformation*. Akademie Verlag, Berlin, 1997. 52.

¹⁷ SCHWAB: *The Attitude*. 7.

undertook work as a physical laborer of the city's fortification. Soon he became Martin Bucer's secretary and preached on Sundays in the neighboring town of Dorlisheim. Many letters of the Strasbourg reformer are in Musculus' handwriting and he edited Bucer's commentaries on Zephaniah and the Psalms as well. After a year, he became an assistant to Matthias Zell, preacher in the Strasbourg Minster. Meanwhile, he attended lectures by Wolfgang Capito and Bucer, and he studied Hebrew.¹⁸

In 1531 four Strasbourg preachers, among whom Musculus was one, were invited to Augsburg. When Musculus arrived at the city, Augsburg had not joined the Reformation yet. Musculus took a leading role in the religious struggle as the theological counselor of the Council. In the name of the city, he signed the *Wittenberg Concord* of 1536, which was an agreement in the Eucharist between the Southern German cities and the Lutherans, and he represented Augsburg at the Diets of Worms and Regensburg Disputations in 1540 and 1542.¹⁹ When the breakthrough of the reformation resulted in the expulsion of the Roman Catholic ceremonies from Augsburg (1537), the Council appointed him a cathedral preacher and censor of books and booksellers in order to protect the Augsburg Library from Anabaptist writings.²⁰ In 1544, he was sent to the neighboring Donauwörth to introduce the Reformation in the city, but the results were ambiguous: the local council accepted the Reformation, but thereafter they invited Lutheran preachers into the city. Despite his active involvement in church politics he did not neglect the academic work.²¹ He improved his Greek skills by the directions of Sixt Birk and learnt Arab independently to translate some of the Psalms into it.²²

His most significant academic activity, which can be traced back to his Augsburg period, belonged to his interest in the Church Fathers. As the censor of the City Library, he persuaded the Augsburg Council to buy 99 Greek manuscripts from Antonios Eparchos, a Greek refugee from Corfu, who made his living from the sale of his precious manuscript collection.²³ Almost half of the 99 manuscripts contained the works of Church Fathers; Musculus' translations of Polybios²⁴ and Gregory of Nazianzus²⁵ were based on these texts.

¹⁸ DELLSPERGER: *Kirchengemeinschaft*. 16.

¹⁹ KIRMEIER: „...wider Laster und Sünde“. 193.

²⁰ SCHWAB, *The Attitude*. 8.

²¹ ROLF KIESSLING: *Wolfgang Musculus und die Reformation in schwäbischen Einzugsgebiet der Stadt Augsburg*. In: Rudolf Dellspenger (ed.): *Wolfgang Musculus (1497-1563) und die oberdeutsche Reformation*. Akademie Verlag, Berlin, 1997. 145.

²² KIRMEIER: „...wider Laster und Sünde“. 194.

²³ Helmut ZÄH: *Wolfgang Musculus und der Ankauf griechischer Handschriften für die Augsburger Stadtbibliothek 1543/44*. In: Rudolf DELLSPERGER (ed.): *Wolfgang Musculus (1497-1563) und die oberdeutsche Reformation*. Akademie Verlag, Berlin, 1997. 229.

²⁴ *Polybii Megalopolitani Historiarum Libri Priores*, 1549.

²⁵ *Divi Gregorii Theologi, Episcopi Nazianzeni Opera*, 1550.

Besides these mentioned two, Musculus published more translations of early church writings or started the work on them during his stay in Augsburg. At first, he translated Augustinian texts on the responsibilities of the secular magistrate in church matters²⁶ from Latin to German. This German translation is an exception because the majority of Musculus' translations are translated from Greek into Latin. During his Augsburg period, his translations of Chrysostom's commentaries on the Pauline Epistles;²⁷ the translation of the works of Chrysostom;²⁸ Basil²⁹ and Cyrill³⁰ were published as well. Two of his eight commentaries – about the Gospel of Matthew³¹ and John³² - appeared also during the time he spent in Augsburg.³³

After the defeat of the Schmalkald League in 1547, Musculus became anxious because of the growing catholic influence. When the Augsburg Council ratified the "Interim" (June 26, 1548), which diminished the achievement of the Reformation, Musculus fled in disguise under unknown circumstances.³⁴ After he was reunited with his family, they were taken in as refugees by a Zurich pastor, Johannes Haller. In February of 1549, Musculus was invited to succeed Simon Sulzer as a professor of theology in Berne.

The Bernese Council, which especially liked to express its opinion over church matters, made further claims on its new pastor and teacher. Firstly, he was obliged to sign that he submits himself to the decrees of the 1528 Bernese Disputation and the 1532 Synod of Berne. Secondly, he had to avoid all contacts with "Lutherans" and "Bucerists." Musculus moreover had to give an explanation for his understanding of the Eucharist, because he signed the *Wittenberg Concord*. What stood in the background of these severe measures was a recently finished church-political fight against the Lutheran views of Beat Gering and Musculus' predecessor at the seminary: Simon Sulzer.³⁵ These measures signify the sensitivity of the Bernese Council in ecclesiastical questions as well as its attempt to have a strong grip on church matters.

²⁶ *Vom Ampt der Oberkait in sachen der religion und Gottesdiensts. Ain bericht ausz götlicher schrift des hailigen alten lerers und Bischoffs Augustini an Bonifacium den Kayserlichen Kriegs Graven in Aphrica*, 1535.

²⁷ *Ioannis Chrysostomi Archiepiscopi Constantinopolitani in Omnes D. Pauli epistolas commentarii*, 1536.

²⁸ *Operum D. Ioannis Chrysostomi Archiepiscopi Constantinopolitani*, 1539.

²⁹ *Opera D. Basillii Magni Caesariae Cappadociae episcopi*, 1540.

³⁰ *Operum D. Cyrilli Alexandrini Episcopi Tomi Quatuor*, 1547.

³¹ *In Euangelistam Matthaicum Commentarii*, 1544.

³² *Commentarii in Evangelium Ioannis*, 1545-47.

³³ Marc van WIJNKOOPLÜTHI: *Druckwerkeverzeichnis des Wolfgang Musculus (1497-1563)*. In: Rudolf Dellsperger (ed.): *Wolfgang Musculus (1497-1563) und die oberdeutsche Reformation*. Akademie Verlag, Berlin, 1997. 363-373.

³⁴ Schwab: *The Attitude*. 8.

³⁵ Kurt GUGGISBERG: *Bernische Kirchengeschichte*. Paul Haupt, Bern, 1958. 209.

Musculus did not take part in the church-political life as actively as he had in Augsburg. Although he advised the council in many church affairs, he devoted himself mostly to academic work. In addition, he finished and published his translations, commentaries, and treatises, several of which he had started to write in Augsburg. His translations of the Church Fathers' works, published during his stay in Berne, are the following: the works of Greek Church historians,³⁶ the works of Gregory of Nazianus,³⁷ and Athanasius.³⁸ Moreover, after ten years' work Musculus finished his systematic theological work, the *Loci Communes* in 1560. His fame spread, and wide correspondence resulted. Although he was invited to teach in London, Strasbourg, Augsburg, Heidelberg, and Marburg, he refused all these offers and died in his Bern home on August 30, 1563.³⁹

3. The Circumstances of the Formation of the *De Magistratibus*, the *Widerlegung ettlicher gegenwürf* and the *Confutation und Ablainung*

In Kressner's view, Musculus' understanding about the secular government's authority over church affairs was formed by the controversy between the Berne Magistrate and the theologians of Geneva.⁴⁰ The beginning of the debate over the "Zwinglian State-church and the Calvinistic theocracy" can be traced back to the 1530s.

In the very beginning of 1536, Berne occupied the French speaking territories of Pays de Vaud and Geneve from Savoy.⁴¹ In order to strengthen their hold on the freshly occupied lands, the Bernese fully intended to use their new state ideology—the Reformation. The evangelization of the former subjects of Savoy was considered a kind of crusade in Berne: evangelical pastors were sent to local congregations, local councils were manipulated, and disputes were held to persuade the reluctant Vaudois to accept the evangelical faith and along with the Bernese authority. The Reformed party was so well prepared and organized there was never any question about the outcome. After the Disputation of Lausanne, on Christmas Eve December 1536 the Reformation edict was officially pronounced in the Pays de Vaud.⁴²

³⁶ *Ecclesiasticae Historiae Autores*, 1549.

³⁷ *Divi Gregorii Theologi, Episcopi Nazianzeni Opera*, 1550.

³⁸ *Athanasii Magni Alexandrini Episcopi Opera*, 1556; For the list of Musculus's all published works see: WIJNKOOP LÜTHI: *Druckwerkeverzeichnis*. 368-374.

³⁹ SCHWAB: *The Attitude*. 8.

⁴⁰ KRESSNER: *Schweizer Ursprünge*. 59.

⁴¹ GUGGISBERG: *Bernische Kirchengeschichte*. 192.

⁴² Bruce GORDON: *The Swiss Reformation*. University Press, Manchester, 2002. 159.

The Bernese secular government liked to intervene into church matters even before the Reformation,⁴³ and after the Council ratified the Reformation "*Reformationsmandat*" (Reformation Mandate) in 1528, the magistrate's grip strengthened on its territorial church and pastors even more.⁴⁴ The government's hold on the church often soured the life of the pastors. Jodocus Kilchmeyer, as one of the Berne Minster's leader preachers, was satisfied with the lowest office offered to him in Zurich just so he could leave Berne. Likewise, Ambrosius Blaurer rejected the invitation of the Bernese twice because he was afraid of the "*servitude, enforced by the Bernese Council.*"⁴⁵ The "*Gnädige Herren*" (Gracious Lords) of Berne considered themselves committed to secure the salvation of their subjects, or at the very least to secure the people's certainty about it. They acted severely against all felt or actual opposition, which could disturb their subjects' tranquility regarding their salvation or call into question their authority over the territorial church. They considered the Disputation of 1528 and the Synod of 1532 to determine all religious questions forever, and they introduced their confessions in the newly occupied lands as the absolute norm for the church renewal. According to the word of a committed Bernese theologian, "*the Disputation's acts are the left, the Holy Scripture is the right hand of God.*"⁴⁶ The council did not give place for the *adiaphora*: if somebody dared to oppose the Bernese church ordinances, then he opposed the Bernese state itself.

In 1541, the *Ecclesiastical Ordinances* of Geneva made clear a decisive difference between Calvin and the Bernese over the use of the excommunication.⁴⁷ In Bernese territory, the execution of church discipline was in the local bailiffs' hand, even in those congregations of the Pays de Vaud, where served mostly those French refugees who were strongly influenced by Calvin. In Geneva, the *Consistory*, which is made up of ministers and elders elected by the congregation, was in charge of church discipline and imposed severe punishment upon evildoers.⁴⁸ According to the Genevian view, the exercise of church discipline was essential for the sake of the church's chastity and for proper administration of the Lord's Supper. The Bernese magistrates were always criticized for their overindulgence and partiality because they let the trespassers of God's law come to the

⁴³ To characterize the Bernese church policy, Bernard Bundeshagen states: "Was aber Bern besonderen betrifft, so gehört es recht eigentlich zu dem spezifischen seiner Geschichte, dass mehr als irgendwo der Staat sich in allen kirchlichen Bewegungen auf hervorragende Weise beteiligt findet." Bernard Bundeshagen: *Die Konflikte des Zwinglianismus, Luthertums und Calvinismus in der Bernischen Landeskirche von 1532-1558*, Bern, 1842. 6 quoted in KRESSNER: *Schweizer Ursprünge*. 55.

⁴⁴ GORDON: *Swiss Reformation*. 107.

⁴⁵ GUGGISBERG: *Bernische Kirchengeschichte*. 267.

⁴⁶ *Ibid.*

⁴⁷ GORDON: *Swiss Reformation*. 160.

⁴⁸ Karl HEUSSI: *Az egyháztörténet kézikönyve*. Osiris, Budapest, 2000. 327.

Lord's Table. The Bernese often responded to this criticism with the disposition of certain pastors. In the course of fifteen years, forty pastors were banished, leaving schools and churches throughout the newly occupied lands in the state of turmoil.⁴⁹

The permanent controversies about excommunication and the appointment of ecclesiastical office-bearers poisoned the relationship between Geneva and Berne, Calvin and the Bernese council- and clergymen and culminated in 1558. At this time the two most significant figures of the Vaudois Reformation after Calvin, Béza and Viret, declared they were not willing to administrate the Lord's Supper because of the mild church discipline of the secular magistrate, where even unworthy communicants could take part in the Communion. Viret wrote a petition for a *Consistory*-like, autonomous church council that would be in charge of doctrinal and moral questions. The Bernese magistrate was unwilling to weaken its power in church matters: Béza left Lausanne on his own will but Viret was disposed on 20 January 1559.⁵⁰

In Kressner's view, these circumstances surrounding the debate about the secular government's right over church discipline and the need for a firm theological justification of the Bernese point of view essentially effected the forming of the concluding chapter on the magistrate in the *Loci Communes*.

In addition, James Thomas Ford believes that arguments of *Musculus* can even be traced back to Augsburg during the 1530s.⁵¹ Twenty-five years before the publication of the *Loci Communes*, some of *Musculus*' early writings on the magistrate's authority had already contained those arguments, which were later used in the late 1550s. Indeed, common arguments run through the *Wiederlegung etlicher gegenwürf* and the *Confutation und Ablainung*.

The following events led to the formation of these two mentioned tracts. In 1531, *Musculus* and his four colleagues were appointed as preachers in Augsburg. Their appointment was antedated by the expulsion of Lutheran pastors, whose efforts to introduce the Reformation in the city proved abortive. Those members of the city's ruling class, who leaned toward the Reformation, solicited their appointment with the hope of the new preacher's moderate Zwinglianism winning Augsburg to the Reformation. The new preachers tried to exert pressure on the city council from the pulpit and exhorted the mayors to abolish the mass and introduce a Reformed church ordinance.⁵²

As a result of their effort, the City Council commissioned a committee of lawyers to explore the advantages and disadvantages of breaking with Catholicism. The council was unsatisfied with the lawyers' negative answer. As they had already inclined to the

⁴⁹ FORD: *Wolfgang Musculus*. 164.

⁵⁰ GUGGISBERG: *Bernische Kirchengeschichte*. 221.

⁵¹ FORD: *Wolfgang Musculus*. 149.

⁵² *Ibid.* 150.

Reformation and only needed justification for their decision, they created a new Committee and Musculus became a member. In a tract, entitled *Widerlegung ettlicher gegenwürf*, written between the Spring of 1533 and Summer of 1534, Musculus answered the various objections to the introduction of the Reformation which the committee had compiled. The primarily goal of the *Widerlegung ettlicher gegenwürf* was to defend the abolishment of mass and support the magistrate's involvement in church reforms.

The *Confutation und Ablainung* was written as a response to an anonymous manuscript, which circulated in Augsburg between 1531 and April 1534. The manuscript, entitled "No one who follows Christ"⁵³ was probably written by a Lutheran who opposed the secular government's intervention into religious matters.⁵⁴ The response, the *Confutation und Ablainung*, was published also anonymously on 5 April 1534. Martin Bucer (the Strasbourg reformer), Michael Keller (the Zwinglian pastor), and Musculus have been suggested as possible authors of this work.

In Ford's opinion and in light of the many references to the city council, the *Confutation's* author must have resided in Augsburg, which excludes the authorship of Bucer. Moreover, the appeal to Canon law and Church Fathers in the *Confutation* assumes that its author was familiar with the early church traditions, which was not characteristic of Keller. These considerations are summarized in Ford's conclusion: "Among the Augsburger only Musculus had the vast knowledge of Scripture, the church fathers, Roman law, and canon law with which the author of the *Confutation* worked."⁵⁵ Another possible evidence for Musculus' authorship is that the *Confutation* mentions that letter of Augustine⁵⁶ which was translated into German by Musculus and published together with Augustine's other works on the magistrate in 1535.

4. Neutralizing the New Testament Exemplar

The first of those common arguments, found also in Musculus' 1530s tracts and in his *Loci Communes*, is the one in which Musculus later reflected on the Genevian ecclesiology. According to said ecclesiology, the government of the church and the state are highly separate from each other.

⁵³ OROGONALLY: *Das kainem nachfolger Christi oder Diener seines Evangelium gezime, in glaubenssachen die weltlich Oberkeit zu erwöcken, noch weniger gezimt sich weltlicher Gewalt dareinn zu greuffen.*

⁵⁴ Ibid. 155.

⁵⁵ Ibid. 156.

⁵⁶ *De correctione Donatistarum liber.*

The Genevians derived the adequate church-state relationship from the example of the time of the Apostles.⁵⁷ The New Testament (NT) lacks instances of Christians seeking a magistrate's intervention into religious matters. Quite the contrary, the people of the NT frequently resisted the secular government, according to the Word: "We ought to obey God rather than men."⁵⁸ The NT times did not provide an example for the assumption that the secular government would have authority over church matters, for instance in the case of the appointment of pastors. "But you will say, that it was otherwise handled in the primitive Churches, when the Bishops or Presidents of Churches were chosen by the ministers and common people" as the opinion of the Genevian theologians is shown by Musculus in the *Loci Communes*.⁵⁹

Musculus' answer for this Genevian view is, that the contemporary church-state relationship is not comparable to the NT times, because the Apostles and the first Christians did not have a Christian Magistrate.: "The estate of the Church was such at that time, that the ministers could be no otherwise chosen because they had no Christian Magistrate."⁶⁰ Musculus even refers to an exegetical guiding principle in his argument: the interpretation of the Scripture is not accurate when the contents are torn out from their original context: "If you list to loke backe to cal to remembrance that doings of those dayes, you must loke backe withal to the condition of estate of those dayes."⁶¹

A similar argument appears in the *Confutation*. The anonymous author of the "Das kainen nachfolger Christi" argues that Musculus and his fellow reformers have no Scriptural support for their appeal to secular authorities in religious matters. The *Confutation* argues Jesus Christ taught his disciples to wipe the dust from their feet, not appeal to the government when they meet opposition to the Gospel. On the contrary, Musculus claims the Apostles would have encouraged the secular government of their day to engage in religious matters had these magistrates been Christian.⁶² Musculus quotes the example of Gallio, the proconsul of Achaia. When the Jews brought Paul to Gallio to condemn him, the proconsul refused to submit their request and he asked them to settle it between

⁵⁷ Rudolf DELLSPERGER: *Staat, Kirche und Politik im Kanton Bern von der Reformation bis in die Mitte des 20. Jahrhunderts*. In: Rudolf DELLSPERGER (ed.): *Kirche – Gewissen des Staates?*, Stämpfli and CIE, Bern, 1991. 136.

⁵⁸ KJV Acts 5, 29.

⁵⁹ MUSCULUS: *Common Places*. 1311.

⁶⁰ *Ibid.*

⁶¹ *Ibid.*

⁶² "Wa aber dotzumal die Gemnain ordenlich Oberkait, das Evangelion hette angenumen, und Christen worden, so wurden die Apostel Sy eben als wol ires Ampts vermanet haben." *Confutation und Ablainung* quoted in FORD: *Wolfgang Musculus*. 157.

each other as it was a religious matter in its nature. Had Gallio been a Christian, Musculus affirms, he would not have rejected Paul and the Jews from the court instead he would have done all official measures to promote the spread of the Gospel.

For Musculus, both of these arguments prove that the practice of the apostolic church—as seen in the NT accounts—did not provide the exemplar for Christian government. In short, the magistrate was not Christian at that time. Had it been Christian, the leaders of the early Church would have appealed to it in church matters as they did after the secular government became Christian via Constantine.

5. The Constantinian Exemplar

The Constantinian Era gives resources to Musculus to demonstrate the appeal to the recently converted secular authority in church matters as an early church practice.

When the author of the *No one who follows Christ* claims that Christians did not call upon the secular government to punish dissenters until the fifth century, Musculus' Confutation contends that preachers and bishops of the early church encouraged and advised Christian magistrates to discipline followers of heretics and preserve public order.⁶³ Musculus appeals to Emperor Constantine, who provided governmental assistance to Christianity shortly after his conversion, for example, in response to requests from Christian subjects, the Emperor built and reestablished monasteries.

In order to prove Constantine's and secular officials' influence not only in external but in internal church matters as well, and to oppose the anonymous author's claim that Augustine did not want to call upon the Emperor against the Donatists, Musculus lists Augustine's letters. One of these letters, entitled *De correctione Donatistarum liber* is addressed to a military officer, Bonifacius. In Augustine's opinion the Donatists and other heretics should be penalized with the full force of imperial power. Therefore the bishop exhorts Bonifacius to use military power against heresy and hence preserve the unity of the church.⁶⁴ Identifying the importance of this letter in defending the secular magistrate's rights even in internal church matters, Musculus translated it to German and it was published, with other documents of Augustine and Bucer's commentary together, entitled "*Vom Ampt der oberkeit in sachen der Religion und Gottesdienst*" (About the Office of the Magistrate in matters of Religion and Worship, 1535).⁶⁵

⁶³ "Darumb haben auch die alten Diener des worts und Bischof, die Christenlich Oberkaiten in solchen sachen ires Ampts zugeprauchen, mit höchster, Christenlicher bechaidenheit, vermanet und geleret." Ibid. 158.

⁶⁴ FORD: *Wolfgang Musculus*. 159.

⁶⁵ WIJNKOOPLÜTHI: *Druckwerkeverzeichnis*. 363.

However, this appeal is not present in Musculus' early writings on secular authority. In the *Loci Communes* he appeals also to Emperor Justinian, who felt entitled to intervene in internal church affairs by his law on baptism and catechumen education of the Gentiles and the Jews.⁶⁶

6. The Old Testament Exemplar

As Musculus did not hold the NT record of the Apostles' attitude toward the secular government prescriptive but merely descriptive, he turned to the Hebrew monarchy of the Old Testament (OT) in order to provide Scriptural support for his opinion.

In the *Loci Communes*, Musculus lists OT leaders and kings, namely Moses, Joshua, Samuel, David, Salomon, Asa, Josaphat, Ezechias, Josias, and Joas who exercised authority over church matters, such as over the appointment of religious office-bearers, the punishment of religious evildoers, the administration of the cult's property, and even religious renewal.

The first of them was Moses:

*"the firste generall Magistrate of the Israelites, who did represent not the person of a Priest, whiche was put unto Aaron, but of the superior power, lyke unto the authoritie of a King, whiche did gyve the order of all religion in the people of God, and did appoint onto Aaron and to the other of the Levites what they should do, and what eschew."*⁶⁷

Moses was in charge in both secular and religious matters since God gave him the Commandments instead of Aaron, declaring that *"the charge of the institution and governaunce in religion dothe belong unto the Magistrate."*⁶⁸

Musculus primarily emphasizes these OT leaders' responsibility for the appointment of priests and other religious office-bearers, which can be referred to the Genevian attempt to dispute the secular magistrate's rights to appoint pastors. As Musculus writes in the case of David:

*"He appointed Priestes, Levites, Singers and Dorekeepers, to minister in the tabernacle of the Lorde. He caused the temple to be builded unto the Lorde, and appointed all the ministeries and offices of the same. And forasmuche as he knewe that this is the principall charge whiche belongeth unto kings and magistrates, that the religion of God be well ordered."*⁶⁹

⁶⁶ MUSCULUS: *Common Places*. 1312.

⁶⁷ *Ibid.* 1300.

⁶⁸ *Ibid.*

⁶⁹ *Ibid.* 1301.

The OT kings played a key role in internal religious questions such as the compilation of the canonical writings. Joshua “*compiled the wordes of the covenant into the booke of Gods law*”⁷⁰ and Joas took part in the establishment of the Deuteronomy, which can strengthen the magistrate’s right to intervene in doctrinal question as well.⁷¹

Moreover, the Hebrew monarchs provided exemplar, how the secular magistrate should prosecute the case of religious renewal:

*“And Asa king of Juda, havving the charge of religion, did rid away the idols out of all the lande of Juda and Benjamin, and out of the cities whiche he had taken in the mount of Ephraim, and did dedicate the Aulter unto the Lord, which was before the gate of the Lorde.”*⁷²

Interestingly, Musculus’ account about Josaphat’s reformist activity is very similar to that way, how the Reformation spread in the 16th century world, especially in those places where its spread was solicited by the rulers, such as in Pays de Vaud. Josaphat delegated “Princes,” secular office-bearers, to preach in the cities of Judah, then sent Levites and priests with them, “*havving the booke of the Lordes lawe with them, and went aboute al the Cities of Juda, and instructed the people.*”⁷³ In the case of Ezechias, Musculus explicitly alludes that the faithful magistrate has the *ius reformandi*, the right to prosecute the Reformation of the church: “*Ezechias also that moste godly king, folowyng the footsteps of his father David, employed hys chiefe and speciall care to the reformation of religion.*”⁷⁴

Musculus emphasizes that the OT magistrate’s involvement in church affairs was possible only since they were faithful to the Lord:

*“When the Kings be wicked and adversaries to godlynesse, the charge of religion commeth to the Priests and Elders of the people. /.../ And when they became also corrupte, the power of the charge and order of religio was put over by Christe himself unto the Apostles, and to the ministers of the worde, until the tyme that Kings and Princes beganne to understande the truth of God, to believe in the Lord, and to serve him.”*⁷⁵

⁷⁰ Ibid.

⁷¹ Ibid. 1303.

⁷² Ibid.

⁷³ Ibid. 1302.

⁷⁴ Ibid.

⁷⁵ Ibid. 1304.

Musculus' appeal to the OT can be found in his Augsburg tracts as well. In the *Widerlegung ettlicher gegenwürf*, when he indicates that the minister and the magistrate has a different role but the same goal, such as the promotion of Christian piety, he appeals to the different natures of the levitical priesthood and kings in the OT.⁷⁶ Musculus was careful to distinguish sharply between the functions of the minister and magistrate, but his main emphasis is the same as in the *Loci* – safeguarding true doctrine and worship was the task of the priest, but even more the king.⁷⁷

In the *Confutation*, similarly to the *Loci Communes*, Musculus provides various examples of devout OT kings who, at the urging of prophets, banished from their lands godless teaching and practices.⁷⁸

7. The Natural and the Roman Law Argument

However, Musculus in other cases always committed himself to the scripture principle; his main argument for the state's supremacy over the church comes not from the Scripture. Appealing to natural law, Musculus likens the Christian magistrate to a *paterfamilias* who sets his house in order and maintains discipline.

This natural law argument, in the *Loci Communes*, even comes before the weakish scripture argument:

*“Is not the power whiche the father hath over his children, grounded upon the lawe of nature, whiche the holy scripture dothe also confirme? And who can deny, but that is dothe chiefly belong unto him, to bring up his children with all diligence and care in the true religio of God, in whiche standeth their whole salvation and felicitie?”*⁷⁹

Just as the father governs the religious affairs of the home, even more so should the magistrate control the religious situation in his territory. The same natural law argument can be found in Musculus' *Widerlegung ettlicher gegenwürf* and in the *Confutation und Ablainung* as well. Originally, this argument comes from Martin Bucer, who composed it in written form in 1535, in his *“Dialogi.”*⁸⁰ The primary goal of the Strasbourg reformer

⁷⁶ FORD: *Wolfgang Musculus*. 154.

⁷⁷ SCHWAB: *The Attitude*. 22.

⁷⁸ FORD: *Wolfgang Musculus*. 157.

⁷⁹ MUSCULUS: *Common Places*. 1299.

⁸⁰ “Was seind aber nun die obren gegen iren underthonen? Vätter. Und die obren vätter, die mehr gwalt über ire underthonen haben, dann sunst kain besonderer vater über seine kinder.” Martin BUCER:

was to defend the Augsburg Council's right (*ius reformandi*) to prosecute the city's reformation.⁸¹

Moreover, Musculus uses another argument rooted in natural law. Accordingly, two authorities cannot exist over one people at the same time, unless one becomes superior or inferior to the other: "There shoulde be two contrarye authenticall authorities and powers in one people, two dyvers and sundry lawgivings and governaunces, unlesse they be one under the other, no more than there may be two heads to one body."⁸² From these two authorities, the secular magistrate's authority is superior to the church, but at the same time the sanctity of the church consecrates it. There is no reason to segregate the church from the Christian state. Both of them belongs to God, both of them contains consecrated people, both of them are holy. "And the magistrate himselfe is holye also and not prophane, and his power holy, his lawes holy, his sword holy, whiche is the revenger of the reprobate and wicked, in serving the moste high Lorde and lawgiver, iudge and revenger of all evill."⁸³ There is no reason for questioning the state's involvement in church matters because the two are one and the same: "The distinction of ecclesiasticall and prophane lawes, canne take no place amongst Christians."⁸⁴

8. The Role of the Early Church

How does the early church appear in Musculus' argument? Since Musculus rejects the Genevian appeal to the NT's strong distinction in state and church affairs, arguing that the secular magistrate was not Christian at that time, he exemplifies the ideal church-state relationship by the Constantinian Era, when the Christian magistrate could rightly intervene into the internal church matters.

Dialogi oder Gespräch von der Gemeinsame und den Kirchenübungen der Schriften, und was yeder Oberkait von ampts wegen auss Göttlichem befelch an denselbigen zu versehen un zu besseren gebüre. In: Robert STUPPERICH (ed.): *Martin Bucers Deutsche Schriften*, Gütersloh, 1960. M, 2, 2; quoted in Kressner: *Schweizer Ursprünge*. 51.

⁸¹ „Darauss volget dann, so vil der gewalt bey den obren grösser ist, das auch der fleiss und ernst zum hail der underthonen bey inen so vil grösser sein solle. Derohalb sy mit allen iren gebieten und verbieten, straffen unnd belohnen dahin zum fürdersten sehen, und sich von ganzen herzen und allen kreften dahin begeben sollen, das die iren zu warem Gotes dienst angefüret und darinn erhalten auch vor allem dem bewaret werden, das sy daran ymmer verhindernen möchte. Das leeret die natur, das ist das göttlich liecht so Gott allen menschen einleuchtet, und ye und ye eingleuchtet hatt.“ Ibid.

⁸² MUSCULUS, *Common Places*, 1308.

⁸³ Ibid. 1309.

⁸⁴ Ibid.

Musculus' references to early church writers are not at all frequent, because what becomes more important for him is that of the condition of the Constantinian church. He emphasizes that the condition of the early church, of which system gave way to the Christian magistrate to intervene into its most internal matters, such as executing church discipline, appointing ecclesiastical office-bearers, administering church property or even decision in doctrinal questions.

Alongside his OT and natural law argument, he appeals to such terms of the Roman law, with which both the pagan and Christian emperors established their rule. He applied the legal concept *merum imperium* to the discussion, which meant the absolute authority of the Roman emperors over all matters of their Empire. Musculus accredited the *merum imperium* to the city councils to provide them the right, which is needed to introduce the Reformation in their territory:

*"We believe and hold that all princes and states entrusted with the power of the sword should provide the people with godly doctrine from Scripture in a comprehensible fashion, and supplant ungodly with godly worship in the churches and parishes which they control and administer with absolute authority (merum imperium)"*⁸⁵.

The early church appears in Musculus' argument primarily as an exemplar for the ideal state-church relationship. The early church writers' role was restrained to witness of this condition, and Musculus was primarily interested in those accounts, which reported how the secular magistrate safeguarded the spread of the Gospel and how they requested assistance of the monarch in financial issues or against religious dissent.⁸⁶

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⁸⁵ Wolfgang MUSCULUS: *Vom Gwalt der H. Reichfürsten unnd Stett sampt andern, so das schwert führen, was ihnen zustande in sachen der religion zu handeln, grund unnd bericht*. Stadtarchiv Augsburg, Literaliensammlung von 1534, No.25. 2a; translated and quoted by FORD: *Wolfgang Musculus*. 162

⁸⁶ Ford: *Wolfgang Musculus*. 158.

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